

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO

**IN RE GOOGLE PLAY STORE
ANTITRUST LITIGATION**

THIS DOCUMENT RELATES TO:

Epic Games, Inc. v. Google LLC et al.,
Case No. 3:20-cv-05671-JD

Case No. 3:21-md-02981-JD

**[PROPOSED] ORDER RE: NON-PARTY
AMAZON.COM LLC'S REQUEST TO SEAL
HIGHLY CONFIDENTIAL INFORMATION**

Honorable James Donato

Having considered non-party Amazon.com LLC (“Amazon”) Motion to Seal Highly Confidential Information, pursuant to Local Rules 7-11 and 79-5;

IT IS HEREBY ORDERED:

The following documents or portions thereof may be filed under seal and only shown in a sealed courtroom:

Exhibit Number (Bates Number)	Document description	Portion to be sealed	Reason(s) for sealing request	Ruling
Depo Exhibit 1362 (AMZ- GP_00001492)	Amazon App Developer Key Terms Chart	Seal entirety	Discloses contractual terms between Amazon and 30 largest app developers; if developers had this information, they could use it to harm Amazon in negotiations with Amazon; if competitors had this information, they could use it to disadvantage Amazon.	
Depo Exhibit 1369 (AMZ- GP_00002484)	2020 Q2 QPR Appstore and Cross Screen Tech	Seal entirety	Detailed business planning document that contains forward looking sales projections, strategic plans for future initiatives, and future target business partners. If Amazon’s competitors or the target business partners listed in the document had access to this information, they could use it to obtain a business advantage in negotiations or in their competing businesses.	
Exhibit 1364 (AMZ- GP_00005729)	Appstore data pulled for purposes of litigation	Seal entirety	Detailed financial information that on Summary_3 shows Amazon’s contractual revenue share with developers. This information could be used by developers to harm Amazon in negotiations and by competitors. Summary_4 similarly shows effective developer revenue	

Exhibit Number (Bates Number)	Document description	Portion to be sealed	Reason(s) for sealing request	Ruling
			broken down by category and could be used against Amazon in negotiations.	
Depo Exhibit 1406 (AMZ- GP_00001672)	2021 Appstore Experience Final Review	Seal entirety	Contains Amazon's confidential analysis of its app store and other app stores. If disclosed, Amazon's competitors could use this information to disadvantage Amazon in contract negotiations, in their own business strategy, or in advertising or marketing about Amazon.	
Depo Exhibit 1366 (AMZ- GP_00003257)	Spelljammer	Redact portion	Redact pages 13 & 14, which contain forward looking financial projections; if a competitor had access to these financial projections, it could cause competitive harm to Amazon.	
Depo Exhibit 1365 (AMZ- GP_00001912)	EC Submission	Seal entirety	Contains confidential information submitted to and from European Regulator; ensuring confidentiality of regulatory submissions is integral to protecting the integrity of regulator investigations and oversight.	
Depo Exhibit 1361 (AMZ- GP_00003314)	EC Submission	Seal entirety	Contains confidential information submitted to and from European Regulator; ensuring confidentiality of regulatory submissions is integral to protecting the integrity of regulator investigations and oversight.	

The following portions of the deposition of Amazon's witness may also be filed under seal and only shown in a sealed courtroom:

Line Number	Document Description	Reason(s) for sealing request	Ruling
71:11 – 71:16 73:20 – 73:24 74:3 – 74:5 74:12 – 74:15	Custom Appstore terms	Discloses contractual terms between Amazon and app developers; if developers had this information, they could use it to harm Amazon in negotiations with Amazon; if competitors had this information, they could use it to disadvantage Amazon on their own negotiations with developers.	
87:15 – 87:20 87:24 – 87:25	Average Appstore commissions rates	Discloses an average of Appstore commission rate across Amazon's contracts with developers; disclosure of this information to developers would harm Amazon in its negotiations with developers; disclosing it to competitors would allow competitors to disadvantage Amazon in their negotiations with developers.	
95:1-19	Appstore transactions and revenue information	Contains Amazon's confidential financial information about the number of transactions by device type; information is not available outside of Amazon; if disclosed it could be used to harm Amazon's competitive position.	
100:5 – 100:8 100:11 – 100:12 101:20 - 102:3	Expense and profitability information	Contains Amazon's confidential financial information about its expenses and profitability; if disclosed to competitors or business partners, it could be used to harm Amazon's competitive position.	

Dated: , 2023

By:

Honorable James Donato
United States District Judge
Northern District of California